

Remarks

Applicant would like to thank the Examiner for the courtesies shown to Applicant's representatives during the personal interview held on February 8, 2008. The following remarks commemorate the substance of the interview.

Claims 1-5 and 7-18 are pending with entry of this and rejected. Independent Claims 1, 17 and 18 have been amended with the entry of this amendment.

Rejections premised upon Tayloe

Claims 1-5, 8 and 11-18 stand improperly rejected under § 103(a) as being unpatentable over Tayloe in view of Manabe and Sheffield and Claims 7 and 9-10 stand improperly rejected under § 103(a) as being unpatentable over Tayloe in view of Manabe, Sheffield and Montoya. While Applicant's representative and the Examiner discussed the differences between the primary reference Tayloe and Applicant's claimed subject matter, Applicant has amended independent Claims 1, 17 and 18 for clarification purposes. Claim 1, as amended, is instructive and recites in part:

gathering signal strength data of received uplink signals of mobile units as measured by a cell site...

Support for Applicant's amendment may be found in paragraphs [0011] – [0012] and [0035] discussing the gathering and measuring of the signal strength of signals received from mobile units (*i.e.*, uplink signals) by the cell site.

As discussed during the personal interview, Tayloe is directed to evaluating the radio coverage of a geographic area from the perspective of mobile subscribers. Tayloe states that "it is necessary to develop a complete history on actual system performance from the mobile unit perspective" (*see* 2:32-34) and states that

Each mobile unit is therefore designed to measure the signal strength and the signal quality of transmissions from the serving and adjacent base stations, and to report this data to the serving base station. (see 4:8-11)

As previously mentioned, ***each mobile unit is designed to measure the signal strength and the signal quality of the calls transmitted***

by the servicing and adjacent base station, and to report this data to the servicing base station. (see 4:28-32)

Thus, it is clear that the received signal strength and signal quality measured in Tayloe are that of the ***downlink signal***. The mobile unit measurements of the downlink signal are then reported to the network from the mobile unit to determine electromagnetic coverage of the network of base stations. As discussed during the interview, there is no disclosure in Tayloe of gathering signal strength data of the uplink signal as claimed, and Applicant respectfully submits that the support references of record, including Manabe, Sheffield and Montoya, fail to supplement the aforementioned deficiencies of Tayloe. Applicant respectfully requests the reconsideration and withdrawal of the rejection of independent Claim 1.

Independent Claims 17 and 18 have been amended in a similar fashion as described above and for the same reasons, Applicant respectfully requests the reconsideration and withdrawal of the rejection of independent Claims 17 and 18.

As Claim 1 is in condition for allowance and Claims 2-5 and 7-16 depend therefrom, Applicant submits Claims 2-5 and 7-16 are allowable by virtue of their dependency alone without regard to the additional patentable subject matter therein. Reconsideration and withdrawal of the rejection of Claims 2-5 and 7-16 are respectfully requested.

Conclusion

Again, Applicant would like to thank the Examiner for the courtesies shown to Applicant's representatives during the interview of February 8, 2008.

Applicant respectfully submits that the claims are in condition for allowance and a notice to this effect is respectfully requested.

The Office is requested and hereby authorized to charge any required extension-of-time fees against Deposit Account Number 04-1679 to Duane Morris LLP.

If any point remains that is deemed best resolved through a telephonic conversation, the Office is hereby requested to contact the undersigned directly.

Respectfully submitted,


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